

Serial No. 10/764,290
Atty. Doc. No. 2001P10197WOUS

REMARKS

Applicants have amended claims 1, 8, and 10 and added claims 17-19. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Examiner's comment regarding priority:

Applicants previously submitted a certified copy of the priority document on June 3, 2005. Attached hereto is a photocopy of the stamped return receipt postcard from such submission. If Examiner would like another copy, Applicants would be glad to provide such.

Response to rejections under Section 112:

Claims 1, 8, and 10 stand rejected under 35 U.S.C. § 112, first paragraph, the Examiner contending the claims fail to comply with the written description requirement.

Applicants respectfully submits that the subject matter of claim 1 reciting a gas lance located before the combustion material that provides a throughway for fuel to flow to the pilot burner is clearly identified in the Applicants' specification page 6, line 4-14. Applicants also respectfully submits that the subject matter of claim 8 reciting a channel for assisting routing of a fuel is clearly identified in the Applicants' specification page 6, line 4-14. Lastly, the Applicants respectfully submits that the subject matter of claim 10 reciting a pilot fuel channel located upstream of the combustion material is also clearly identified in the Applicants' specification page 6, line 4-14.

In view of the above, Applicants respectfully request the Examiner to withdraw the Section 112 rejection.

Response to rejections under Section 103:

Claims 1, 8, and 10 stand rejected under 35 U.S.C. § 103(a), the Examiner contending the claims are unpatentable over Bell et al. (US 5,080,577) in view of Stoschek (WO 00/41548).

Examiner asserts that Bell discloses either a pre-mix burner or gas turbine comprising a main burner adapted to receive the greater portion of the combustion air. Applicants respectfully disagree and respectfully assert that Bell discloses a first stage burner 32 adapted to combust a fuel rich mixture (i.e. a mixture having a greater concentration of fuel than air) (see Bell, column

**Serial No. 10/764,290
Atty. Doc. No. 2001P10197WOUS**

4, lines 41-47). Applicants have amended claims 1, 8, and 10 to clarify this distinction that the claimed main burner is fuel-lean and adapted to receive the greater concentration of the combustion air. Support for this limitation can be found in Applicants' specification at page 2 lines 22-25. Thus, Bell discloses the opposite of the Applicants' claimed invention.

Examiner asserts that Bell also discloses either a pre-mix burner or gas turbine comprising a pilot burner adapted to stabilize a lean combustion in the main burner. Applicants respectfully disagree and respectfully assert that Bell discloses a second stage 34 burner that is independent of the first stage burner 32. That is, the second stage burner 34 provides no feedback or suction blowback to stabilize the first stage burner 32. Moreover, it would be illogical for a lean-fuel burner 34 to stabilize a rich-fuel burner 32.

Applicants have also amended claims 1, 8, and 10 to recite the limitation that the combustion gas mixture flowing from the pilot burner and the combustion gas mixture flowing from the main burner merge to a common outlet. Support for this limitation is found at page 5, lines 30-32 and Figure 1. In contrast, Bell discloses a combustor 10 having a single flow stream that sequentially passes through at least two stages 32, 34.

Regarding claim 10, Applicants submit that claim 10 recites that mixing is performed by a main burner. In Bell, the mixing occurs in a conduit 15 located well before the first stage 32.

For the foregoing reasons, Applicants respectfully request that the Examiner withdraw the Section 103 rejection.

Discussion of New Claims 17-19:

New claims 17-19 further define the scope of the invention, as described in the specification and drawings. For example, claim 18 discloses a secondary channel for assisting the routing of fuel (see e.g. Applicants' specification page 6, lines 4-14) which is not disclosed by Bell, Stoschek, or any other prior art. In view of the foregoing remarks regarding the other claims, Applicant respectfully submits that claims 17-19 are patentable and requests allowance of claims 17-19.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the Office Action are inapplicable to the present claims. Accordingly, Applicants respectfully

**Serial No. 10/764,290
Atty. Doc. No. 2001P10197WOUS**

request that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 9/14/05

By: J.P. Musone
John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830

SEP. 14. 2005 3:22PM 407-736-6440

NO. 1598 P. 10

RECEIVED

JUN 13 2005

U.S. PATENT AND TRADEMARK
OFFICE

TO THE U.S. PATENT & TRADEMARK OFFICE

Please stamp the date of receipt of the following documents and return this card to us.

EXPRESS MAIL LABEL: ED 832750016 US

PTO/SB/21 Transmittal Form (1 pg)

Certified Copy of Priority Document EP 01119249.9 (14 pgs.)

Serial No. 10/764,290

Paper Dated: 06/03/2005

Atty Dkt No.: 2001P10197WOUS

Attorney: John P. Musone JH

